

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27407 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- FESHAR District- Aurangabad

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Guddu Kumar @ Brijmohan Kumar S/O Krishna Yadav Resident of Village-
Mahthu, P.S- Jamhor, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Fesar P.S. Case No. 28 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. The case of the prosecution, in short, is that from a pickup van, altogether 480 liters of country-made liquor were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that nothing has been recovered from the possession of the petitioner; rather, the recovery has been made



from the said pickup van in which he is merely a co-driver. He further submits that the witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioner is languishing in judicial custody since 14.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of two cases of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall not indulge himself in similar nature of offences in future.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise No. II, Aurangabad in connection with Fesar P.S. Case No. 28 of 2026.

(Ashok Kumar Pandey, J)

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